

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT COURT OF VIRGINIA
NORFOLK DIVISION

UNITED STATES OF AMERICA)	
	)	CRIMINAL NO. 2:02cr
v.)	
	)	18 U.S.C. § 371
MARYSOL FLORES	)	Conspiracy to Possess and Utter
(Count 1)	)	Counterfeit Security of an Organization
	)	(Count 1)
CARLOS M. BRITE)	
(Counts 1-8)	)	42 U.S.C. § 408(a)(7)(B)
	)	False Representation of Social
JEHMAL M. KORNEGAY	)	Security Number
(Counts 1, 9-18)	)	(Counts 2, 6, 9, 10, 16, 19)
)	
TONY L. BRITE	)	18 U.S.C. § 1001(a)(3)
(Counts 1, 19-21)	)	False Statement
	)	(Counts 5, 13)
and)	
	)	18 U.S.C. § 513(a)
ALEXANDRA WILHELM	)	Possessing and Uttering Counterfeit
(Counts 1, 22 & 23)	)	Security of an Organization
	)	(Counts 3, 4, 7, 8, 11, 12, 14, 15, 17, 18, 20-23)
Defendants.)	

INDICTMENT

APRIL 2002 TERM – at Norfolk, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

During the period from in or about September 2000 through April 2001, in the Eastern District of Virginia and elsewhere, MARYSOL FLORES, CARLOS M. BRITE, JEHMAL M. KORNEGAY, TONY L. BRITE and ALEXANDRA WILHELM, the defendants, unlawfully and knowingly combined, conspired, confederated and agreed together and with each other, and with

other persons, to commit the following offense against the United States: To possess and utter a counterfeit security of an organization, in violation of Title 18, United States Code, Section 513(a).

MANNER AND MEANS OF THE CONSPIRACY

The conspirators knowingly procured counterfeit checks purporting to be drawn on the checking accounts of organizations, including Rose & Womble, International Marketing Association, Inc., Keith Hawthorne Ford, Both, Inc., dba Golden Corral, Prime Rate Premium Finance Corporation, Sentara Healthcare, Anchor Real Estate, Ocean View Ventures, Inc., BQTS Associates, L.P., The Lee Group, SMB Restaurants, L.L.C., 1st Homes, Inc. and Colonial Foods, LLC. Said counterfeit checks were made payable to fictitious persons and were cashed by the conspirators, who used aliases and fraudulent identification documents, at several financial institutions, including Bank of Tidewater, Wachovia Bank, N.A., Branch Banking & Trust Company of Virginia (hereafter BB&T Bank), Crestar Bank (now SunTrust Bank), Bank of America, N.A. and Heritage Bank & Trust. MARYSOL FLORES distributed the counterfeit checks to the other conspirators and instructed them on how to cash the counterfeit checks at financial institutions. Proceeds from the counterfeit checks were disbursed and divided among the conspirators as directed by MARYSOL FLORES. Approximately 120 counterfeit checks were negotiated, resulting in an aggregate loss to the financial institutions of approximately \$117,500.00.

OVERT ACTS

_____ In furtherance of the conspiracy and to effect the objects thereof, the following acts, among others, were committed in the Eastern District of Virginia:

1. On or about September 25, 2000, ALEXANDRA WILHELM cashed at Crestar Bank

(now SunTrust Bank) a counterfeit check in the amount of \$917.25, purporting to be Check No. 20248 drawn on the checking account of Rose & Womble.

2. On or about September 25, 2000, ALEXANDRA WILHELM cashed at Crestar Bank (now SunTrust Bank) a counterfeit check in the amount of \$917.29, purporting to be Check No. 20261 drawn on the checking account of Rose & Womble.

3. On or about November 21, 2000, CARLOS M. BRITE falsely represented 448-60-1897 to be his social security number for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles.

4. On or about December 11, 2000, CARLOS M. BRITE cashed at Wachovia Bank, N.A. a counterfeit check in the amount of \$985.00, purporting to be Check No. 7953 drawn on the checking account of Keith Hawthorne Ford.

5. On or about December 11, 2000, CARLOS M. BRITE cashed at Wachovia Bank, N.A. a counterfeit check in the amount of \$975.00, purporting to be Check No. 8269 drawn on the checking account of Keith Hawthorne Ford.

6. On or about December 14, 2000, JEHMAL M. KORNEGAY falsely represented 424-61-7095 to be his social security number for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles.

7. On or about December 15, 2000, JEHMAL M. KORNEGAY falsely represented 025-43-8807 to be his social security number for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles.

8. On or about December 18, 2000, JEHMAL M. KORNEGAY cashed at Bank of America, N.A. a counterfeit check in the amount of \$983.18, purporting to be Check No. 85176

drawn on the account of Colonial Foods, LLC.

9. On or about December 18, 2000, JEHMAL M. KORNEGAY cashed at Bank of America, N.A. a counterfeit check in the amount of \$941.08, purporting to be Check No. 85358 drawn on the account of Colonial Foods, LLC.

10. On or about December 19, 2000, CARLOS M. BRITE submitted to Mail Boxes Etc. an Application for Delivery of Mail Through Agent (Postal Service form 1583) in which he identified himself by the false name of Richard Perry.

11. On or about January 17, 2001, TONY L. BRITE falsely represented 242-60-4672 to be his social security number for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles.

12. On or about January 23, 2001, JEHMAL M. KORNEGAY submitted to Mail \$ Pack Center an Application for Delivery of Mail Through Agent (Postal Service form 1583) in which he identified himself by the false name of James Martin Robertson.

13. On or about January 24, 2001, TONY L. BRITE cashed at Bank of Tidewater a counterfeit check in the amount of \$975.14, purporting to be Check No. 52264 drawn on the account of Both, Inc., dba Golden Corral.

14. On or about January 25, 2001, JEHMAL M. KORNEGAY cashed at Bank of Tidewater a counterfeit check in the amount of \$992.45, purporting to be Check No. 53024 drawn on the checking account of Both, Inc., dba Golden Corral.

15. On or about January 25, 2001, JEHMAL M. KORNEGAY cashed at Bank of Tidewater a counterfeit check in the amount of \$953.10, purporting to be Check No. 53457 drawn on the checking account of Both, Inc., dba Golden Corral.

16. On or about February 8, 2001, JEHMAL M. KORNEGAY falsely represented 127-47-7661 to be his social security number for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles.

17. On or about February 9, 2001, CARLOS M. BRITE falsely represented 448-16-6188 to be his social security number for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles.

18. On or about February 16, 2001, CARLOS M. BRITE cashed at BB&T Bank a counterfeit check in the amount of \$992.67, purporting to be Check No. 884025 drawn on the checking account of Prime Rate Premium Finance Corporation.

19. On or about February 16, 2001, CARLOS M. BRITE cashed at BB&T Bank a counterfeit check in the amount of \$989.00, purporting to be Check No. 884234 drawn on the checking account of Prime Rate Premium Finance Corporation.

20. On or about March 26, 2001, TONY L. BRITE cashed at BB&T Bank a counterfeit check in the amount of \$989.34, purporting to be Check No. 58832 drawn on the checking account of 1st Homes, Inc.

21. On or about April 6, 2001, JEHMAL M. KORNEGAY cashed at Heritage Bank & Trust a counterfeit check in the amount of \$935.69, purporting to be Check No. 6729 drawn on the checking account of Ocean View Ventures, Inc.

22. On or about April 6, 2001, JEHMAL M. KORNEGAY cashed at Heritage Bank & Trust a counterfeit check in the amount of \$912.50, purporting to be Check No. 6775 drawn on the checking account of Ocean View Ventures, Inc.

(In violation of Title 18, United States Code, Section 371.)

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 21, 2000, in the Eastern District of Virginia, CARLOS M. BRITE, the defendant, for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles, with intent to deceive, did knowingly and falsely represent 448-60-1897 to be the social security number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security number assigned by the Commissioner of Social Security to him.

(In violation of Title 42, United States Code, Section 408(a)(7)(B).)

COUNT THREE

____ THE GRAND JURY FURTHER CHARGES THAT:

On or about December 11, 2000, in the Eastern District of Virginia, CARLOS M. BRITE, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Wachovia Bank, N.A. a counterfeit check in the amount of \$985.00, purporting to be Check No. 7953 drawn on the checking account of Keith Hawthorne Ford, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT FOUR

____ THE GRAND JURY FURTHER CHARGES THAT:

On or about December 11, 2000, in the Eastern District of Virginia, CARLOS M. BRITE, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the

intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Wachovia Bank, N.A. a counterfeit check in the amount of \$975.00, purporting to be Check No. 8269 drawn on the checking account of Keith Hawthorne Ford, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 19, 2000, in the Eastern District of Virginia, in a matter within the jurisdiction of the executive branch of the Government of the United States, that is, the United States Postal Service, CARLOS M. BRITE, the defendant, did knowingly and willfully make and use a false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry, in that the defendant prepared and submitted to Mail Boxes Etc. an Application for Delivery of Mail Through Agent (Postal Service Form 1583) in which he identified himself by the false name of Richard Perry.

(In violation of Title 18, United States Code, Section 1001(a)(3).)

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 9, 2001, in the Eastern District of Virginia, CARLOS M. BRITE, the defendant, for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles, with intent to deceive, did knowingly and falsely represent 448-16-6188 to be the social security number assigned by the Commissioner of Social Security to

him, when in fact such number is not the social security number assigned by the Commissioner of Social Security to him.

(In violation of Title 42, United States Code, Section 408(a)(7)(B).)

COUNT SEVEN

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about February 16, 2001, in the Eastern District of Virginia, CARLOS M. BRITE, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at BB&T Bank a counterfeit check in the amount of \$992.67, purporting to be Check No. 884025 drawn on the checking account of Prime Rate Premium Finance Corporation, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT EIGHT

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about February 16, 2001, in the Eastern District of Virginia, CARLOS M. BRITE, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at BB&T Bank a counterfeit check in the amount of \$989.00, purporting to be Check No. 884234 drawn on the checking account of Prime Rate Premium Finance Corporation, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 14, 2000, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles, with intent to deceive, did knowingly and falsely represent 424-61-7095 to be the social security number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security number assigned by the Commissioner of Social Security to him.

(In violation of Title 42, United States Code, Section 408(a)(7)(B).)

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 15, 2000, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles, with intent to deceive, did knowingly and falsely represent 025-43-8807 to be the social security number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security number assigned by the Commissioner of Social Security to him.

(In violation of Title 42, United States Code, Section 408(a)(7)(B).)

COUNT ELEVEN

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about December 18, 2000, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, did knowingly possess and utter a counterfeit security of an

organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Bank of America, N.A. a counterfeit check in the amount of \$983.18, purporting to be Check No. 85176 drawn on the checking account of Colonial Foods, LLC., an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT TWELVE

____ THE GRAND JURY FURTHER CHARGES THAT:

On or about December 18, 2000, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Bank of America, N.A. a counterfeit check in the amount of \$941.08, purporting to be Check No. 85358 drawn on the checking account of Colonial Foods, LLC., an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 23, 2001, in the Eastern District of Virginia, in a matter within the jurisdiction of the executive branch of the Government of the United States, that is, the United States Postal Service, JEHMAL M. KORNEGAY, the defendant, did knowingly and willfully make and use a false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry, in that the defendant prepared and submitted to Mail & Pack Center an Application for Delivery of Mail Through Agent (Postal Service Form

1583) in which he identified himself by the false name of James Martin Robertson.

(In violation of Title 18, United States Code, Section 1001(a)(3).)

COUNT FOURTEEN

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2001, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Bank of Tidewater a counterfeit check in the amount of \$992.45, purporting to be Check No. 53024 drawn on the checking account of Both, Inc., dba Golden Corral, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT FIFTEEN

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2001, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Bank of Tidewater a counterfeit check in the amount of \$953.10, purporting to be Check No. 53457 drawn on the checking account of Both, Inc., dba Golden Corral, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 8, 2001, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles, with intent to deceive, did knowingly and falsely represent 127-47-7661 to be the social security number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security number assigned by the Commissioner of Social Security to him.

(In violation of Title 42, United States Code, Section 408(a)(7)(B).)

COUNT SEVENTEEN

____ THE GRAND JURY FURTHER CHARGES THAT:

On or about April 6, 2001, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Heritage Bank & Trust a counterfeit check in the amount of \$935.69, purporting to be Check No. 6729 drawn on the checking account of Ocean View Ventures, Inc., an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT EIGHTEEN

____THE GRAND JURY FURTHER CHARGES THAT:

On or about April 6, 2001, in the Eastern District of Virginia, JEHMAL M. KORNEGAY, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Heritage Bank & Trust a counterfeit check in the amount of \$912.50, purporting to be Check No. 6775 drawn on the checking account of Ocean View Ventures, Inc., an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT NINETEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 17, 2001, in the Eastern District of Virginia, TONY L. BRITE, the defendant, for the purpose of obtaining a Virginia Identification Card issued by the Virginia Department of Motor Vehicles, with intent to deceive, did knowingly and falsely represent 242-60-4672 to be the social security number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security number assigned by the Commissioner of Social Security to him.

(In violation of Title 42, United States Code, Section 408(a)(7)(B).)

COUNT TWENTY

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about January 24, 2001, in the Eastern District of Virginia, TONY L. BRITE, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Bank of Tidewater a counterfeit check in the amount of \$975.14, purporting to be Check No. 52264 drawn on the checking account of Both, Inc., dba Golden Corral, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT TWENTY-ONE

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about March 26, 2001, in the Eastern District of Virginia, TONY L. BRITE, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at BB&T Bank a counterfeit check in the amount of \$989.34, purporting to be Check No. 58832 drawn on the checking account of 1st Homes, Inc., an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT TWENTY-TWO

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about September 25, 2000, in the Eastern District of Virginia, ALEXANDRA WILHELM, the defendant, did knowingly possess and utter a counterfeit security of an

organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Crestar Bank (now SunTrust Bank) a counterfeit check in the amount of \$917.25, purporting to be Check No. 20248 drawn on the checking account of Rose & Womble, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

COUNT TWENTY-THREE

_____THE GRAND JURY FURTHER CHARGES THAT:

On or about September 25, 2000, in the Eastern District of Virginia, ALEXANDRA WILHELM, the defendant, did knowingly possess and utter a counterfeit security of an organization, with the intent to deceive another person and organization, in that the defendant knowingly possessed and cashed at Crestar Bank (now SunTrust Bank) a counterfeit check in the amount of \$917.29, purporting to be Check No. 20261 drawn on the checking account of Rose & Womble, an organization operating in and the activities of which affect interstate commerce.

(In violation of Title 18, United States Code, Section 513(a).)

A TRUE BILL:

FOREPERSON

PAUL J. McNULTY
UNITED STATES ATTORNEY

By: _____
Alan M. Salsbury
Assistant United States Attorney